

[JENNIFER STEINHAUER, New York Times](#)

Here is how most people think laws get made in this town: A member of Congress introduces a bill, his colleagues express great love/outrage/urgency about the bill in front of C-Span, and members decide to pass or defeat it in a roll-call vote.

In reality, a complex web of rules — which differ greatly from the House to the Senate — ordains how bills become laws, determining who will speak about them and for how long, what constraints will be placed on alternatives or amendments offered to the measures, and which issues will come up and in what form.

In short, when it comes to Congress, rules are as important as in baseball, only more malleable.

It is usual for the House to tweak these rules with each new session. But Representative John A. Boehner, who on Wednesday will be sworn in as the new speaker, has made serious alterations in the rules. Members will vote on Wednesday on changes that ostensibly increase the transparency of lawmaking, but also consolidate Republican power over the budget process.

Mr. Boehner seeks to do away with large omnibus spending bills, preferring to break them into smaller bills, and to allow for more amendments on bills generally, and more extensive debate.

Members offering bills for new programs will have to explain how they will pay for them, not by raising new revenues but by finding other ways to cut costs. Each bill introduced will also have to cite the specific constitutional authority for its contents.

For the first time under the House rules, all bills will be required to be placed online. Committees will post their rules and their votes, as well as information about testifying witnesses in an effort to make public any conflicts of interest.

In an unusual grab of budgetary power, the incoming chairman of the House Budget Committee will be able to unilaterally set limits for categories of domestic spending until a budget resolution is passed this spring, as a budget enforcement measure.

"These are definitely major changes," said Norman J. Ornstein, a resident scholar at the American Enterprise Institute, a conservative policy group. "In fiscal matters especially, but also just in the way the House conducts its business."

In the send-a-message category, the Constitution will be read aloud on the floor of the House on Thursday, the day after the 112th Congress begins with Republicans in control of the House.

"Our aim will be to give government back to the people," Mr. Boehner wrote in prepared remarks for his speech Wednesday when he takes the gavel. "In seeking this goal, we will part with some of the rituals that have come to characterize this institution under majorities Republican and Democratic alike. We will dispense with the conventional wisdom that bigger bills are always better; that fast legislating is good legislating; that allowing additional amendments and open debate makes the legislative process 'less efficient' than our forefathers intended. These misconceptions have been the basis for the rituals of modern Washington. The American people have not been well served by them."

Some of Mr. Boehner's more notable proposals concern the transparency and speed with which bills are going to be considered. The Republicans are committed to making all legislation available to lawmakers, and the public, at least three days before a House vote; in large part, this is a response to the late-night revisions made to the energy bill, among others, that was decried by Republicans.

Before bills are marked up — a sacred practice that allows lawmakers to change the content of bills — three days' notice must be given, also to stave off dark-of-night revisions.

Requiring bills to be placed online is "very, very unusual and groundbreaking," said Muftiah McCartin, a former staff director of the House Committee on Rules.

Republicans have also pledged to have an open rule on all spending bills, which means that members of both parties will be able to offer more amendments and have more debate, which in theory would lead to more scrutiny for each government agency seeking financing.

A big exception will be the bill to repeal the health care law that House Republicans plan to bring up next week. That bill will not be subject to amendments, nor will Republicans have to abide by their own new rules that compel them to offset the cost of new bills that add to the deficit; the health care repeal and tax cuts are not subject to this new rule.

Representative Peter Welch, Democrat of Vermont, had hoped to propose an amendment to the health care repeal legislation to provide for an up-or-down vote on several major components of the law. The components include elimination of lifetime limits on care, coverage of individuals up to age 26 on their parents' health care plans, the banning of discrimination against those with pre-existing conditions and free preventive care for older Americans.

Democrats are displeased.

"I think they are really overreaching here," said Representative Chris Van Hollen of Maryland. "We are certainly going to make clear our objections. I expect that their version will prevail, but I have to believe that a lot of these new members of Congress who ran on a platform of transparency are going to be doing a U-turn."